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Attorney's Docket: 2002DE442

Serial No.: 10/537,556

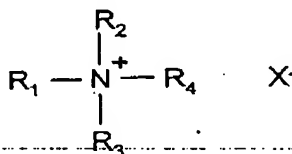
Art Unit 1621

Response to Office Action of 10/13/2006

This listing of claims will replace all prior versions, and listings of claims in the application:

1.(Previously Presented) A quaternary ammonium composition consisting essentially of

a) a cationic compound with general formula:



wherein R_1 is C_8 - C_{22} -alkyl, C_8 - C_{22} -alkenyl, C_8 - C_{22} -alkylamidopropyl, C_8 - C_{22} -alkenyl-amidopropyl, C_8 - C_{22} -alkyl/alkenyl(poly)alkoxyalkyl, C_8 - C_{22} -alkanoylethyl or C_8 - C_{22} -alkenoylethyl, R_2 , R_3 and R_4 are C_1 - C_{22} -alkyl, C_2 - C_{22} -alkenyl or a group of the formula $-A-(OA)_n-OH$, A is $-C_2H_4-$ and/or $-C_3H_6-$, n is a number from 0 to 20 and X is an anion,

- b) less than 20 % by weight of water based on said composition and
- c) a non-ionic solvent selected from the group consisting of an alcohol or an ethoxylated alcohol with the general formula $R-O-(AO)_nH$, where R is alkyl or alkenyl group containing 8 to 22 carbon atoms, A is C_2H_4 or C_3H_6 and mixtures thereof, and n is a number from 0 to 20, nonylphenol or ethoxylated nonylphenol with the general formula C_9H_{19} -phenyl- $O-(AO)_nH$, where A and n are as defined above, and mixtures thereof.

2.(Previously Presented) The composition of claim 1, which contains 5 to 60 % by weight of the cationic compound a).

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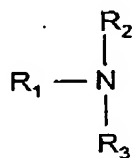
3.(Previously Presented) The composition of claim 1, wherein the cationic compound a) is an C₈-C₂₂-alkyl or C₈-C₂₂-alkenyl-dimethyl-hydroxyethyl ammonium.

4.(Previously Presented) The composition of claim 1, which has 40 to 95 % by weight of the non-ionic solvent c).

5.(Previously Presented) The composition of claim 1, which has less than 5% of by-products.

6.(Currently Amended) The composition of claim 1, which the non-ionic solvent is selected from the group consisting of an ethoxylated fatty alcohol, a fatty alcohol, a polyethylene glycol, a polypropylene glycol, a block co-polymer of ethylene and propylene, a nonylphenol, [[a]] an ethoxylated nonylphenol, and a mixture thereof.

7.(Previously Presented) A process for preparing a composition as claimed in claim 1 wherein R₄ in the compound a) is defined as C₁-C₂₂-alkyl or C₂-C₂₂-alkenyl, said process comprising:
reacting an amine of the formula



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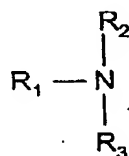
wherein

R_1 is C_8 - C_{22} -alkyl, C_8 - C_{22} -alkenyl, C_8 - C_{22} -alkylamidopropyl, C_8 - C_{22} -alkenyl-amidopropyl, C_8 - C_{22} -alkyl/alkenyl(poly)alkoxyalkyl, C_8 - C_{22} -alkanoylethyl or C_8 - C_{22} -alkenoylethyl, R_2 and R_3 are C_1 - C_{22} -alkyl, C_2 - C_{22} -alkenyl or a group of the formula -A-(OA) $_n$ -OH, wherein A is - C_2H_4 - or - C_3H_6 -, or a mixture thereof, and n is a number from 0 to 20

with a halo alkyl or halo alkenyl of the formula R_4 -X wherein R_4 is C_1 - C_{22} -alkyl or C_2 - C_{22} -alkenyl and X is chlorine or bromine in the presence of said non-ionic solvent c).

8.(Previously Presented) A process for preparing a composition as claimed in claim 1 wherein R_4 in the cationic compound a) is defined as a group of the formula -A-(OA) $_n$ -OH wherein A is - C_2H_4 - or - C_3H_6 -, or a mixture thereof, and n is a number from 0 to 20 said process comprising:

reacting an amine of the formula



wherein R_1 is C_8 - C_{22} -alkyl, C_8 - C_{22} -alkenyl, C_8 - C_{22} -alkylamidopropyl, C_8 - C_{22} -alkenyl-amidopropyl, C_8 - C_{22} -alkyl/alkenyl(poly)alkoxyalkyl, C_8 - C_{22} -alkanoylethyl or C_8 - C_{22} -alkenoylethyl, R_2 and R_3 are C_1 - C_{22} -alkyl, C_2 - C_{22} -alkenyl or a group of the formula -A-(OA) $_n$ -OH, wherein A is - C_2H_4 - or - C_3H_6 -, or a mixture thereof, and n is a number from 0 to 20

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with an inorganic monohalo acid and then reacting the ammonium salt thus obtained with ethylene oxide and/or propylene oxide.

9.(Previously Presented) The process of claim 7, wherein the amine is C₈-C₂₂-alkyl or C₈-C₂₂-alkenyl-dimethyl amine, or mixtures thereof.

10.(Previously Presented) The process of claim 8, wherein the monohalo acid is aqueous, hydrochloric acid.

11.(Previously Presented) The process of claim 8, wherein the ammonium salt is reacted with ethylene oxide.

12.(Currently Amended) The process of claim 8, wherein the non ionic solvent is [[Coconut PEG 7]] a C₁₂/C₁₄/C₁₈ alcohol polyglycol having 7 EO units.

13.(Previously Presented) The process of claim 8, wherein the first step is proceed in a temperature between 20 and 100°C.

14.(Previously Presented) The process of claim 8, wherein the second step is proceeded in a temperature between 40 and 100°C.

15.(Previously Presented) The process of claim 8, wherein the amine is C₈-C₂₂-alkyl or C₈-C₂₂-alkenyl-dimethyl amine, or mixtures thereof.